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6 Attorneys for Third Party Defendant
7 Cede & Co., nominee of The Depository
Trust Company, a New York trust company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

11 PALMTREE ACQUISITION CORPORATION, a Delaware corporation,

Plaintiff,

vs.

MICHAEL R. NEELY, et al.,

Defendants.

Case No. CV 08 3168 EMC

**STIPULATION TO EXTEND
TIME TO RESPOND TO
COMPLAINT [L.R. 6-1(b)]
ORDER**

Trial Date: None Set

Action Filed: July 1, 2008

1 THE KIRRBERG CORPORATION,
2 formerly known as MULTIMATIC
3 CORPORATION, a New Jersey
4 corporation; and STARK INVESTMENT
5 COMPANY, L.P., a California limited
6 partnership,

7 Third Party
8 Plaintiffs,

9 vs.

10 ESTATE OF HAROLD A. ELLIS, JR;
11 CEDE & CO., nominee of The Depository
12 Trust Company, a New York trust
13 company; JAMES R. PROUD, an
14 individual; DEAN BEANKS, an
15 individual; EMMETT R. DEMOSS JR., an
individual; JOHN E. HYJER, an
individual; PRUDENTIAL EQUITY
GROUP, LLC, formerly known as
PRUDENTIAL SECURITIES, INC., a
Delaware corporation; THE ANDERSON
MARITAL TRUST dated February 28,
1979, as amended and restated August 31,
1994; and THE ANDERSON TAX
DEFERRAL TRUST, dated February 28,
1979, as amended and restated August 31,
1994,

16 Third Party
17 Defendants.

18 IT IS HEREBY STIPULATED AND AGREED by and between the attorneys
19 for Third-Party Plaintiffs, The Kirrberg Corporation and Stark Investment
20 Company, L.P ("Third-Party Plaintiffs"), and for Third-Party Defendant, Cede &
21 Co. ("CEDE"), that CEDE's time to respond to the Third-Party Complaint filed by
22 Third-Party Plaintiffs shall be extended to and including March 18, 2010.

23 DATED:

DONGELL LAWRENCE FINNEY LLP

24 By: _____
25

Thomas F. Vandenburg

26 Attorneys for Defendant and Third Party
27 Plaintiff THE KIRRBERG CORPORATION,
28 formerly known as MULTIMATIC
CORPORATION

DATED: 2/16/10

GONSALVES & KOZACHENKO

By:

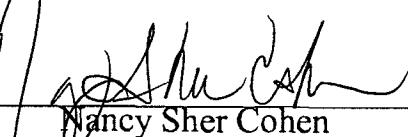

Selena P. Ontiveros

Attorneys for Defendant and Third Party
Plaintiff
STARK INVESTMENT COMPANY

DATED: 2/16/10

PROSKAUER ROSE LLP

By:


Nancy Sher Cohen

Attorneys for Third Party Defendants
CEDE & CO., nominee of The Depository
Trust Company, a New York trust company

SO ORDERED:

